

There are two key issues that I wish to address regarding this issue. The first, EDC designation and authority. As a tribal leader I feel there is no instance where a federally recognized tribe should be ever subject to state jurisdiction. The establishment of the government to government relationship between tribal sovereign nations and the FCC should explain it all. If a tribe or other party is seeking ETC designation on tribal land the authority should be given by the FCC in consultation with the tribal nation involved. Too many times in the past infrastructure or services have been developed with no tribal consultation or consideration. If non Indian people live within the reservation there should be a compact or something similar developed with the State in question. ETC designation for Tribal lands should NEVER be given without tribes involved being consulted. The second issue is the BIA definition of reservation and near reservation. The Indian Health Service has defined service areas to provide services to off reservation or in some cases where no reservation land exists. For example my tribe Lummi, the service area is the reservation and Whatcom County. This is similar to what the BIA has done. One area not addressed is landless Tribes. Washington State has several landless tribes that are federally recognized. I know there are some in Oregon also. The tribe may have enough land to build their tribal center, clinic and some housing. Most tribal members have to live off of tribal land/reservation. Two tribes that I work with are the Samish and the Sauk Suiattle. They have service areas defined by IHS. If they were able to use the definition of their service area they could enroll their tribal members in the Lifeline Linkup Program for Tribal lands. As it is now their tribal members may apply for the Washington State Telephone Assistance Program but it is \$8/month for basic phone service. If a tribal member living off of tribal land/reservation is participating in a Tribal TANF program they would not be eligible for the State Telephone Assistance Program either. Our program currently works with the 29 federally recognized tribes in Washington State and hopes to expand our services all of the member tribes of Affiliated Tribes of NW Indians.